

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SALMA AGHA-KHAN,

Plaintiff,

vs.

PACIFIC COMMUNITY MORTGAGE INC et al,

Defendants.

Case No. 2:16-cv-01124-JCM-NJK

ORDER

(Docket No. 30)

Pending before the Court is a motion to stay discovery filed by Defendants Aurora Loan Services, Mortgage Electronic Registration Systems, Inc., and Theodore Schultz. Docket No. 30. Joinders were filed by Defendants Fidelity National Title, Service-Irvine, and Servicelink, Docket No. 31; Defendants Steven Joe, Juliann McNeill, and Michael McNeill, Docket No. 32; Defendant Noble Title, Docket No. 40; and Defendant William Go, Docket No. 43. Plaintiff filed a response in opposition. Docket No. 59. The Court finds the matter properly resolved without oral argument. *See* Local Rule 78-1. For the reasons discussed below, the motion to stay is hereby **GRANTED**.

The Court has broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). “The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending.” *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). The party seeking a stay carries the heavy burden of making a strong showing why discovery should be denied. *See, e.g., Turner Broadcasting Sys., Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997). The case law in this District makes clear that requests to

1 stay all discovery may be granted when: (1) the pending motion is potentially dispositive; (2) the
2 potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken
3 a “preliminary peek” at the merits of the potentially dispositive motion and finds it sufficiently
4 meritorious to warrant a stay. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev.
5 2013).

6 Having reviewed these standards and the briefing on the motion to dismiss, the Court finds that
7 the standards are met. Accordingly, the Court **GRANTS** the motion to stay discovery. Docket No. 30.
8 In the event that the motion to dismiss is not granted in its entirety, the parties shall file a joint proposed
9 discovery plan within 14 days of the issuance of the order resolving the motion to dismiss.

10 IT IS SO ORDERED.

11 DATED: July 25, 2016.

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NANCY J. KOPPE
United States Magistrate Judge
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